

## DETAILED ACTION

### Response to Arguments

1. This office action is in response to the amendment filed on 06/02/2009. Claims 1-31 are pending in this application and have been considered below.

2. Applicant's arguments with respect to claims 1, 14, 27, 30, and 31 have been considered but are moot in view of new ground(s) of rejection because of the amendments.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-31 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

(1) The new limitations added by the amendment filed on 06/02/2009 in the independent claims 1 and 14 **“determining which symbols have been degraded by the symbol degrading event”** are not supported by the applicant's original disclosure.

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The examiner is unable to find any support for **“determining which symbols have been degraded by the symbol degrading event”** in the applicant’s original disclosure.

Also, the examiner called the office of applicant’s representative David M. O’Neill (Reg. No. 35304) on 09/09/2009 requesting a telephone interview to discuss the newly added limitations in claims 1, 14, 27, 30, and 31. On 09/10/2009 the examiner received a telephone call from Jerry Stanton (Reg. No. 46008). Mr. Stanton said that Mr. David O’Neill is no longer with the firm and identified himself as an authorized attorney for the application.

The examiner conducted the telephone interview with applicant’s representative Jerry Stanton (Reg. No. 46008) on September 10, 2009 at 11:20 AM regarding the newly added limitation in claims 1, 14, 27, 30, and 31. The applicant’s representative pointed to pages 2, 5, 8, and 9 of the specification of the instant application, however, no specific support was identified for the newly added limitations **“determining which symbols have been degraded by the symbol degrading event”** on those pages or anywhere in the original disclosure of the application.

Therefore, the newly added limitations in claims 1 and 14 raise an issue of new matter as the limitations are not supported by the applicant’s original disclosure.

(2) The new limitations added by the amendment filed on 06/02/2009 in the independent claims 27, 30, and 31 **“determining which symbols comprising the signal have been degraded by fading condition”** are not supported by the applicant’s original disclosure. The examiner is unable to find any support for **“determining which**

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**symbols comprising the signal have been degraded by fading condition”** in the applicant’s original disclosure.

Also, the examiner called the office of applicant’s representative David M. O’Neill (Reg. No. 35304) on 09/09/2009 requesting a telephone interview to discuss the newly added limitations in claims 1, 14, 27, 30, and 31. On 09/10/2009 the examiner received a telephone call from Jerry Stanton (Reg. No. 46008). Mr. Stanton said that Mr. David O’Neill is no longer with the firm and identified himself as an authorized attorney for the application.

The examiner conducted the telephone interview with applicant’s representative Jerry Stanton (Reg. No. 46008) on September 10, 2009 at 11:20 AM regarding the newly added limitation in claims 1, 14, 27, 30, and 31. The applicant’s representative pointed to pages 2, 5, 8, and 9 of the specification of the instant application, however, no specific support was identified for the newly added limitations “**determining which symbols comprising the signal have been degraded by fading condition”** on those pages or anywhere in the original disclosure of the application.

Therefore, the newly added limitations in claims 27, 30, and 31 raise an issue of **new matter** as the limitations are not supported by the applicant’s original disclosure.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**6. Claims 1, 2, 4, 6-8, 13-15, 17, 19-21, and 26 are rejected under 35 U.S.C.**

**103(a) as being unpatentable over Ling et al (US 2003/0043928) in view of DuPree et al. (US 5175558).**

**Regarding claims 1 and 14:**

As shown in figure 1, Ling et al. discloses a method to operate a digital signal receiver, comprising:

- detecting the occurrence of a symbol degrading event for a received signal (error detection is interpreted to be detecting the occurrence of a symbol degrading. Also channel interleaver provides diversity against path effects such as fading) (paragraph 0068, lines 1-3 and paragraph 0084, lines 1-4);
- wherein the symbol degrading event occurs after transmission and before reception of the received signal **(this limitation is well known and inherent in the art. One of ordinary skilled in the art knows that the signal is expected to suffer propagation loss such as "symbol degrading event" as it travels from the transmitter to the receiver. In order to show the inherency for this limitation, the examiner is referring to a book "CDMA RF SYSTEM ENGINEERING" By Samuel C. Yang, Pages14-26, published by Artech House Publishers in 1998. Please note that this reference is not provided as a prior art for this rejection, but to show the inherency of this limitation.);**

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- inserting zero symbols into a received symbol stream to replace symbols that have been determined to have been degraded by the signal degrading event prior to de-interleaving the received signal (paragraph 0025, lines 9-18, paragraph 0029, lines 13-19); and
- error correction decoding the received symbol stream having the inserted zero symbols (figure 8, paragraph 0144, lines 1-6).

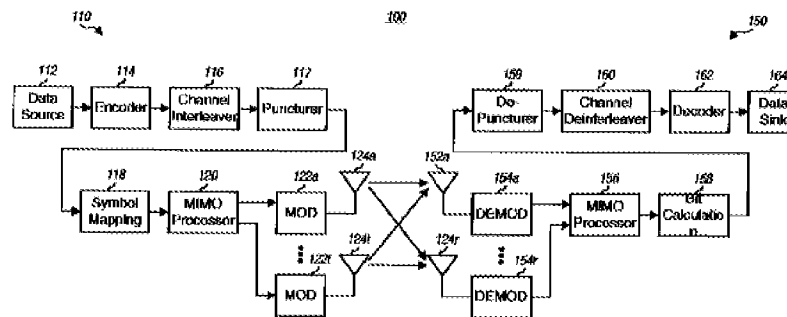


FIG. 1

*Ling et al. clearly disclose a channel Interleaver 116 and Puncturer 117 and also in paragraph 0025, Ling et al. discloses that this method is used to combat fading.*

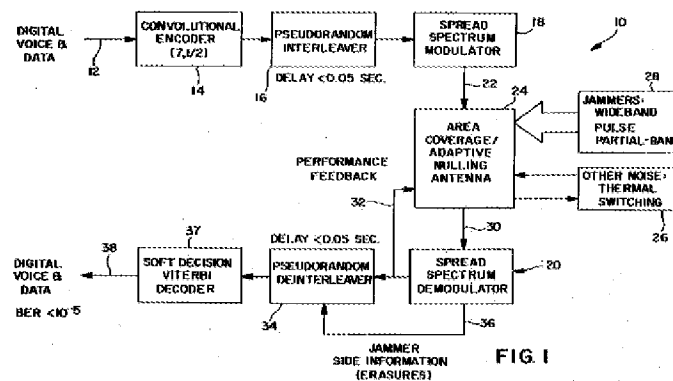
*Moreover, the system of figure 1 of Ling et al. illustrates that the de-puncturer 159 is located prior to the channel deinterleaver 160 and “erasures (e.g., zero value indicatives) are then inserted by a de-puncturer 159 for coded bits punctured at system 110. The de-punctured values are then deinterleaved by a channel deinterleaver 160 and further decoded by a decoder 162 to generate decoded bits, which are then provided to a data sink 164”. in Par 0025, Ling et al. disclose: “The interleaving provides time and frequency diversity for the coded bits, permits the data to be transmitted based on an average SNR for the subchannels used for the data transmission, combats fading, and further removes correlation between coded bits used to form each modulation symbol, as described below. The interleaved bits are then punctured (i.e., deleted) to provide the*

*required number of coded bits. The encoding, channel interleaving, and puncturing are described in further detail below. The unpunctured coded bits are then provided to a symbol mapping element 118". And in par 0029, Ling et al. disclose: "The received symbols for the transmission channels are then provided to a bit calculation unit 158 that performs processing complementary to that performed by symbol mapping element 118 and provides values indicative of the received bits. Erasures (e.g., zero value indicatives) are then inserted by a de-puncturer 159 for coded bits punctured at system 110. The de-punctured values are then deinterleaved by a channel deinterleaver 160 and further decoded by a decoder 162 to generate decoded bits, which are then provided to a data sink 164. The channel deinterleaving, de-puncturing, and decoding are complementary to the channel interleaving, puncturing, and encoding performed at the transmitter"*.

Ling et al. disclose all of the subject matter as described above except for specifically teaching to replace symbols that have been determined to have been degraded by the signal degrading event. However, based on the cited portions of the ling et al. reference, it would have been obvious to one of ordinary skilled in the art at the invention was made to use the method of zero insertion as taught by Ling et al. to insert zero to "replace symbols degraded by the signal degrading event" (fading) in order to combat signal fading.

Ling et al. disclose all of the subject matter as described above except for specifically teaching determining which symbols have been degraded by the symbol degrading event.

However, DuPree et al. in the same of endeavor teach determining which symbols have been degraded by the symbol degrading event (36 in figure 1, col 4, lines 44-57)



Therefore, it would have been obvious to one of ordinary skilled in art at the time the invention was made to use jammer state information (erasures) and deinterleaver of DuPree et al. to modify the system and method of Ling et al. in order to identify those symbols which have been jammed (degraded) and correct errors and erasures in the system (see col 4, lines 44-57)

**Regarding claims 2 and 15:**

Ling et al. further discloses where error correction decoding comprises operating a Reed-Solomon decoder (the system which has Reed-Solomon coder would also have a Reed-Solomon decoder) (paragraph 0068, lines 3-6).

**Regarding claims 4 and 17:**

Ling et al. further discloses where error correction decoding comprises operating a Turbo decoder (paragraph 0135, lines 4-5).

**Regarding claims 6 19:**

Ling et al. further discloses where inserting occurs after a Viterbi decoder (paragraph 0147, lines 1-3).

**Regarding claims 7 and 20:**

Ling et al. further discloses where error correction decoding comprises first de-interleaving the received symbol stream having the inserted zero symbols (figure 8, 160, paragraph 0029, lines 13-19).

**Regarding claims 8 and 21:**

Ling et al. further discloses where detecting comprises:

- estimating a signal to noise ratio (SNR) of a block of L contiguous received symbols, where L is an integer greater than or equal to one; comparing the estimated SNR to a threshold SNR value (paragraph 0010, lines 6-9); and
- replacing L symbols with L zero symbols when the estimated SNR is less than the threshold SNR (paragraph 0025, lines 9-16).

**Regarding claims 13 and 26:**

Ling et al. further discloses where detecting uses information received from a transmitter that is indicative of a time when a deep fade occurs (figure 1, paragraph 0084, lines 1-4).



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**7. Claims 3, 5, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ling et al. in view of DuPree et al. as applied to claims 1 and 14 above and further in view of Koetter et al. (Us 6,634,007).**

**Regarding claim 3 and 16:**

Ling et al. disclose all of the subject matter as described above except for specifically teaching, where error correction decoding comprises operating a BCH decoder.

However, Koetter et al., in the same field of endeavor, teaches where error correction decoding comprises operating a BCH decoder (column 12, lines 27-32).

One of ordinary skill in the art would have clearly recognized that in order to correct multiple random errors, coding methodology such as BCH (Bose-Chaudhuri-Hocquenghem) coding is used. By using this technique, we can estimate the likelihoods of the symbols that were input to the communication channel. In order to estimate the likelihood of the received symbols, it would have been obvious to one ordinary skill in the art at the time the invention was made to use BCH coding methodology as taught by Koetter et al. in the soft decoding of Reed-Solomon codes. Using BCH decoding techniques is advantageous because it will provide a sufficient method of soft-decision decoding and forward error-correction.

**Regarding claim 5 and 18:**

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Ling et al. disclose all of the subject matter as described above except for specifically teaching, where inserting occurs in conjunction with operating a BPSK bit metric calculator.

However, Koetter et al., in the same field of endeavor, teaches where inserting occurs in conjunction with operating a BPSK bit metric calculator (column 16, lines 66-67).

One of ordinary skill in the art would have clearly recognized that there are several modulation techniques such as Phase Shift Keying (PSK). Also in digital communication we can use BPSK (Binary Phase Shift Keying) modulation to modulate the phase of a reference signal. In BPSK, a finite number of phases are used. Each of these phases is assigned a unique pattern of Binary Bits. Usually, each phase encodes an equal number of bits. Each pattern of bits forms the Symbols that is represented by the particular phase. In order to modulate the received signal in digital format, it would have been obvious to one ordinary skill in the art at the time the invention was made to use BPSK modulation methodology as taught by Koetter et al. in the soft decoding of Reed-Solomon codes. It is advantageous to use BPSK modulation because BPSK is the simplest form of PSK. It uses two phases which are separated by 180 degrees. Also BPSK modulation is the most robust of all the PSKs modulation.

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**8. Claims 9-12 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ling et al. in view of DuPree et al. as applied to claims 1 and 14 above and further in view of Slack et al. (Us 4,574,252).**

**Regarding claim 9 and 22:**

Ling et al. disclose all of the subject matter as described above except for specifically teaching, where detecting comprises examining the output of at least one Automatic Gain Control (AGC) circuit.

However, Slack et al., in the same field of endeavor, teaches, where detecting comprises examining the output of at least one Automatic Gain Control (AGC) circuit (figure 1, abstract, lines 1-6).

One of ordinary skill in the art would have clearly recognized Receivers for mobile communication systems include Automatic Gain Control (AGC) subsystems, which attempt to minimize the fluctuations in the received signal energy and consequently amplitude. In order to accomplish an approximately constant received signal energy, it would have been obvious to one ordinary skill in the art at the time the invention was made to include a AGC circuit in the system as taught by Slack et al. To adjust the signal power level, it is advantageous to use an Automatic Gain Control subsystem to achieve the appropriate power level in the received signal.

**Regarding claim 10 and 23:**

Ling et al. further discloses means for replacing symbols with zero symbols when either the first or the second threshold is exceeded (paragraph 0029, lines 13-19).

Ling et al. disclose all of the subject matter as described above except for specifically teaching, where said circuit comprises means for comparing the output of a slow AGC to a first threshold, means for comparing the output of a fast AGC to a second threshold.

However, Slack et al., in the same field of endeavor, teaches, where said circuit comprises means for comparing the output of a slow AGC to a first threshold, means for comparing the output of a fast AGC to a second threshold (figure 1, 20, 26, 34, 36).

One of ordinary skill in the art would have clearly that the signal propagation between the transmitting device and receiving device experience fading and signal degradation. There are two types of degradation and fading: fast fading and slow fading. To control and adjust the signal power or amplitude level during these two fading conditions, it would have been obvious to one ordinary skill in the art at the time the invention was made to include AGC circuits to combat both fading conditions (fast and slow) as taught by Slack et al. To adjust the signal power level, it is advantageous to use Automatic Gain Control subsystems to achieve the appropriate power level in the received signal in both fast and slow fading conditions.

**Regarding claim 11 and 24:**

Ling et al. further discloses means for replacing symbols with zero symbols when the difference exceeds the threshold (paragraph 0029, lines 13-19).

Ling et al. disclose all of the subject matter as described above except for specifically teaching, where said circuit comprises means for comparing a difference between the output of a slow AGC and the output of a fast AGC to a threshold.

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However, Slack et al., in the same field of endeavor, teaches, where said circuit comprises means for comparing a difference between the output of a slow AGC and the output of a fast AGC to a threshold (figure 1, 20, 26, 34, 36, column 3, lines 58-64).

One of ordinary skill in the art would have clearly that the signal propagation between the transmitting device and receiving device experience fading and signal degradation. There are two types of degradation and fading: fast fading and slow fading. To control and adjust the signal power or amplitude level during these two fading conditions, it would have been obvious to one ordinary skill in the art at the time the invention was made to include AGC circuits to combat both fading conditions (fast and slow) as taught by Slack et al. To adjust the signal power level, it is advantageous to use Automatic Gain Control subsystems to achieve the appropriate power level in the received signal in both fast and slow fading conditions.

**Regarding claim 12 and 25:**

Ling et al. further discloses means for replacing symbols with zero symbols when the difference exceeds the threshold (paragraph 0029, lines 13-19).

Ling et al. disclose all of the subject matter as described above except for specifically teaching, where said circuit comprises means for comparing a difference between the output of a fast AGC and an average of the output of the fast AGC to a threshold.

However, Slack et al., in the same field of endeavor, teaches, where said circuit comprises means for comparing a difference between the output of a fast AGC and an

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average of the output of the fast AGC to a threshold (figure 1, 20, 26, 34, 36, column 3, lines 58-64).

One of ordinary skill in the art would have clearly that the signal propagation between the transmitting device and receiving device experience fading and signal degradation. There are two types of degradation and fading: fast fading and slow fading. To control and adjust the signal power or amplitude level during these two fading conditions, it would have been obvious to one ordinary skill in the art at the time the invention was made to include AGC circuits to combat both fading conditions (fast and slow) as taught by Slack et al. To adjust the signal power level, it is advantageous to use Automatic Gain Control subsystems to achieve the appropriate power level in the received signal in both fast and slow fading conditions.

**9. Claims 27- 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ling et al. in view of Rogards et al. (Us 4,718,066) and further in view of DuPree et al.**

**Regarding claim 27:**

Ling et al. further disclose

- in response to detecting the occurrence of the fading condition, inserting zero symbols into a received symbol stream at the receiver (error detection is interpreted to be detecting the occurrence of a symbol degrading. Also channel interleaver

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provides diversity against path effects such as fading) (paragraph 0068, lines 1-3 and paragraph 0084, lines 1-4) to replace symbols that have been determined to have been degraded by the fading condition (abstract, par 0025 and par 0029);

- de-interleaving (figure 1, 160) the received symbol stream having the inserted zero symbols signal (paragraph 0029, lines 13-19); and
- decoding (figure 1, 162) the received symbol stream having the inserted zero symbols (Erasures have zero value indicatives) (figure 1,159).

***Ling et al. clearly disclose a channel Interleaver 116 and Puncturer 117 and also in paragraph 0025, Ling et al. discloses that this method is used to combat fading.***

***Moreover, the system of figure 1 of Ling et al. illustrates that the de-puncturer 159 is located prior to the channel deinterleaver 160 and “erasures (e.g., zero value indicatives) are then inserted by a de-puncturer 159 for coded bits punctured at system 110. The de-punctured values are then deinterleaved by a channel deinterleaver 160 and further decoded by a decoder 162 to generate decoded bits, which are then provided to a data sink 164”. In par 0025, Ling et al. disclose: “The interleaving provides time and frequency diversity for the coded bits, permits the data to be transmitted based on an average SNR for the subchannels used for the data transmission, combats fading, and further removes correlation between coded bits used to form each modulation symbol, as described below. The interleaved bits are then punctured (i.e., deleted) to provide the required number of coded bits. The encoding, channel interleaving, and puncturing are described in further detail below. The unpunctured coded bits are then provided to a symbol mapping element 118”. And in par 0029, Ling et al. disclose: “The received symbols for the transmission channels are then provided to a bit calculation unit 158 that***

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***performs processing complementary to that performed by symbol mapping element 118 and provides values indicative of the received bits. Erasures (e.g., zero value indicatives) are then inserted by a de-puncturer 159 for coded bits punctured at system 110. The de-punctured values are then deinterleaved by a channel deinterleaver 160 and further decoded by a decoder 162 to generate decoded bits, which are then provided to a data sink 164. The channel deinterleaving, de-puncturing, and decoding are complementary to the channel interleaving, puncturing, and encoding performed at the transmitter***".

Ling et al. disclose all of the subject matter as described above except for specifically teaching to replace symbols that have been determined to have been degraded by the signal degrading event. However, based on the cited portions of the ling et al. reference, it would have been obvious to one of ordinary skilled in the art at the invention was made to use the method of zero insertion as taught by Ling et al. to insert zero to "replace symbols degraded by the signal degrading event" (fading) in order to combat signal fading.

Ling et al. disclose all of the subject matter as described above except for specifically teaching, detecting the occurrence of a fading condition due to obstruction by the propeller blade and caused by the obstructing propeller blade.

However, Rogards et al., in the same field of endeavor, teaches, detecting the occurrence of a fading condition due to obstruction by the propeller blade and caused by the obstructing propeller blade (periodic fading is interpreted to be a fading condition due to obstruction by the propeller blade) (figure 3, column 1, lines 22-34).

One of ordinary skill in the art would have clearly that the signal propagation between the transmitting device and receiving device experience fading and signal

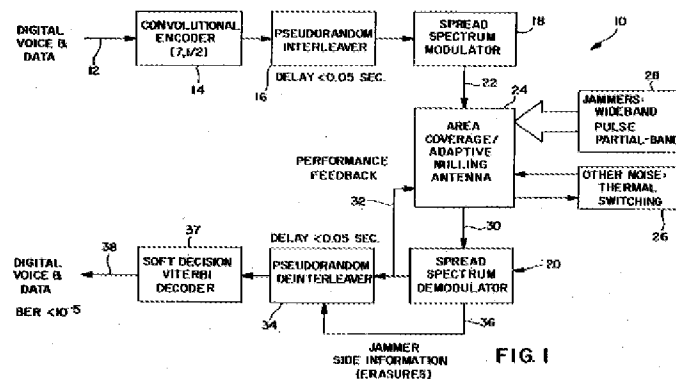


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degradation. Due to multipath phenomenon, in a communication system such as satellite radio waves experience phase and amplitude shifts. Also, small shifts in the transmission path could change the phase relationship of signals, causing periodic fading and produce bits or burst errors. To combat the signal fading, it would have been obvious to one ordinary skill in the art at the time the invention was made to design the system such that to be suitable for transmission of data frequently effected by periods of fading as taught by Rogards et al. To combat periodic fading, interleaving techniques are used. These techniques enable the reduction or elimination of the correlation between the errors, which affect the successive symbols applied to a decoder, particularly by transmitting the different components of a block in an order different from that which the decoder will receive. These interleaving techniques have the disadvantage of increasing further the transmission time.

Ling et al. and Rogards et al. disclose all of the subject matter as described above except for specifically teaching determining which symbols comprising the signal have been degraded by the fading condition.

However, DuPree et al. in the same of endeavor teach determining which symbols comprising the signal have been degraded by the fading condition (jamming) (36 in figure 1, col 4, lines 44-57)



Therefore, it would have been obvious to one of ordinary skilled in art at the time the invention was made to use jammer state information (erasures) and deinterleaver of DuPree et al. to modify the system and method of Ling et al. in order to identify those symbols which have been jammed (degraded) and correct errors and erasures in the system (see col 4, lines 44-57)

**Regarding claim 28:**

Ling et al. further disclose, where decoding comprises operating a concatenated forward error correction (FEC) decoder (figure 1, 162, paragraph 0067, lines 3-5).

**Regarding claim 29:**

Ling et al. further disclose, where decoding comprises operating one of a Reed-Solomon decoder, a BCH decoder, or a Turbo decoder (paragraph 0135, lines 4-5).

**Regarding claim 30:**

Ling et al. further disclose

- in response to detecting the occurrence of the fading condition, inserting zero symbols into a received symbol stream at the satellite (paragraph 0029, lines 13-19) to replace symbols that have been determined to have been degraded by the fading condition (abstract, par 0025 and par 009);

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- de-interleaving (figure 1, 160) the received symbol stream having the inserted zero symbols (paragraph 0029, lines 13-19); and
- error correction decoding (figure 1, 162) the received symbol stream having the inserted zero symbols (Erasures have zero value indicatives) (figure 1,159).

***Ling et al. clearly disclose a channel Interleaver 116 and Puncturer 117 and also in paragraph 0025, Ling et al. discloses that this method is used to combat fading.***

***Moreover, the system of figure 1 of Ling et al. illustrates that the de-puncturer 159 is located prior to the channel deinterleaver 160 and “erasures (e.g., zero value indicatives) are then inserted by a de-puncturer 159 for coded bits punctured at system 110. The de-punctured values are then deinterleaved by a channel deinterleaver 160 and further decoded by a decoder 162 to generate decoded bits, which are then provided to a data sink 164”. In par 0025, Ling et al. disclose: “The interleaving provides time and frequency diversity for the coded bits, permits the data to be transmitted based on an average SNR for the subchannels used for the data transmission, combats fading, and further removes correlation between coded bits used to form each modulation symbol, as described below. The interleaved bits are then punctured (i.e., deleted) to provide the required number of coded bits. The encoding, channel interleaving, and puncturing are described in further detail below. The unpunctured coded bits are then provided to a symbol mapping element 118”. And in par 0029, Ling et al. disclose: “The received symbols for the transmission channels are then provided to a bit calculation unit 158 that performs processing complementary to that performed by symbol mapping element 118 and provides values indicative of the received bits. Erasures (e.g., zero value indicatives) are then inserted by a de-puncturer 159 for coded bits punctured at system 110. The de-punctured values are then deinterleaved by a channel deinterleaver 160 and further***

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***decoded by a decoder 162 to generate decoded bits, which are then provided to a data sink 164. The channel deinterleaving, de-puncturing, and decoding are complementary to the channel interleaving, puncturing, and encoding performed at the transmitter”.***

Ling et al. disclose all of the subject matter as described above except for specifically teaching to replace symbols that have been determined to have been degraded by the signal degrading event. However, based on the cited portions of the ling et al. reference, it would have been obvious to one of ordinary skilled in the art at the invention was made to use the method of zero insertion as taught by Ling et al. to insert zero to “replace symbols degraded by the signal degrading event” (fading) in order to combat signal fading.

Ling et al. disclose all of the subject matter as described above except for specifically teaching, detecting, on the satellite, the occurrence of a fading condition due to obstruction by the propeller blade and caused by the obstructing propeller blade.

However, Rogards et al., in the same field of endeavor, teaches, detecting, on the satellite, the occurrence of a fading condition due to obstruction by the propeller blade and caused by the obstructing propeller blade (periodic fading is interpreted to be a fading condition due to obstruction by the propeller blade) (figure 3, column 1, lines 22-34).

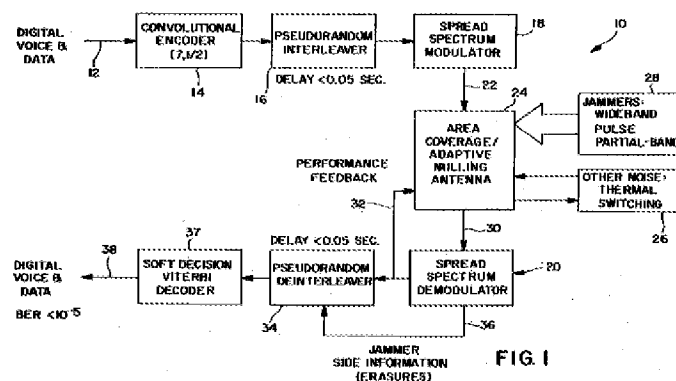
One of ordinary skill in the art would have clearly that the signal propagation between the transmitting device and receiving device experience fading and signal degradation. Due to multipath phenomenon, in a communication system such as satellite radio waves experience phase and amplitude shifts. Also, small shifts in the

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transmission path could change the phase relationship of signals, causing periodic fading and produce bits or burst errors. To combat the signal fading, it would have been obvious to one ordinary skill in the art at the time the invention was made to design the system such that to be suitable for transmission of data frequently effected by periods of fading as taught by Rogards et al. To combat periodic fading, interleaving techniques are used. These techniques enable the reduction or elimination of the correlation between the errors, which affect the successive symbols applied to a decoder, particularly by transmitting the different components of a block in an order different from that which the decoder will receive. These interleaving techniques have the disadvantage of increasing further the transmission time.

Ling et al. and Rogards et al. disclose all of the subject matter as described above except for specifically teaching determining which symbols comprising the signal have been degraded by the fading condition.

However, DuPree et al. in the same of endeavor teach determining which symbols comprising the signal have been degraded by the fading condition (jamming) (36 in figure 1, col 4, lines 44-57)



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Therefore, it would have been obvious to one of ordinary skilled in art at the time the invention was made to use jammer state information (erasures) and deinterleaver of DuPree et al. to modify the system and method of Ling et al. in order to identify those symbols which have been jammed (degraded) and correct errors and erasures in the system (see col 4, lines 44-57)

**Regarding claim 31:**

Ling et al. further disclose:

- inserting zero symbols into a received symbol stream (paragraph 0068, lines 1-3 and paragraph 0084, lines 1-4) to replace symbols that have been determined to have been corrupted by the fading condition (par 0025 and par 0029); and
- an error correction decoder (figure 1, 162) for decoding the received symbol stream having the inserted zero symbols (Erasures have zero value indicatives) (figure 1,159).

Ling et al. clearly disclose a channel Interleaver 116 and Puncturer 117 and also in paragraph 0025, Ling et al. discloses that this method is used to combat fading. Moreover, the system of figure 1 of Ling et al. illustrates that the de-puncturer 159 is located prior to the channel deinterleaver 160 and “erasures (e.g., zero value indicatives) are then inserted by a de-puncturer 159 for coded bits punctured at system 110. The de-punctured values are then deinterleaved by a channel deinterleaver 160 and further decoded by a decoder 162 to generate decoded bits, which are then provided to a data sink 164”.

*Ling et al. clearly disclose a channel Interleaver 116 and Puncturer 117 and also in paragraph 0025, Ling et al. discloses that this method is used to combat fading. Moreover, the system of figure 1 of Ling et al. illustrates that the de-puncturer 159 is located prior to the channel deinterleaver 160 and “erasures (e.g., zero value indicatives) are then inserted by a de-puncturer 159 for coded bits punctured at system 110. The de-punctured values are then deinterleaved by a channel deinterleaver 160 and further decoded by a decoder 162 to generate decoded bits, which are then provided to a data sink 164”. In par 0025, Ling et al. disclose: “The interleaving provides time and frequency diversity for the coded bits, permits the data to be transmitted based on an average SNR for the subchannels used for the data transmission, combats fading, and further removes correlation between coded bits used to form each modulation symbol, as described below. The interleaved bits are then punctured (i.e., deleted) to provide the required number of coded bits. The encoding, channel interleaving, and puncturing are described in further detail below. The unpunctured coded bits are then provided to a symbol mapping element 118”. And in par 0029, Ling et al. disclose: “The received symbols for the transmission channels are then provided to a bit calculation unit 158 that performs processing complementary to that performed by symbol mapping element 118 and provides values indicative of the received bits. Erasures (e.g., zero value indicatives) are then inserted by a de-puncturer 159 for coded bits punctured at system 110. The de-punctured values are then deinterleaved by a channel deinterleaver 160 and further decoded by a decoder 162 to generate decoded bits, which are then provided to a data sink 164. The channel deinterleaving, de-puncturing, and decoding are complementary to the channel interleaving, puncturing, and encoding performed at the transmitter”.*

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Ling et al. disclose all of the subject matter as described above except for specifically teaching to replace symbols that have been determined to have been degraded by the signal degrading event. However, based on the cited portions of the ling et al. reference, it would have been obvious to one of ordinary skilled in the art at the invention was made to use the method of zero insertion as taught by Ling et al. to insert zero to “replace symbols degraded by the signal degrading event” (fading) in order to combat signal fading.

Ling et al. disclose all of the subject matter as described above except for specifically teaching, a satellite, comprising a receiver for receiving a signal that passes through a channel that is periodically obstructed, the receiver comprising circuitry for detecting the occurrence of a fading condition due to an obstruction and, in response to detecting the occurrence of the fading condition and caused by the periodic obstruction.

However, Rogards et al., in the same field of endeavor, teaches a satellite, comprising a receiver for receiving a signal that passes through a channel that is periodically obstructed, the receiver comprising circuitry for detecting the occurrence of a fading condition due to an obstruction and, in response to detecting the occurrence of the fading condition and caused by the periodic obstruction (column 1, lines 22-34).

One of ordinary skill in the art would have clearly that the signal propagation between the transmitting device and receiving device experience fading and signal degradation. Due to multipath phenomenon, in a communication system such as satellite radio waves experience phase and amplitude shifts. Also, small shifts in the transmission path could change the phase relationship of signals, causing periodic

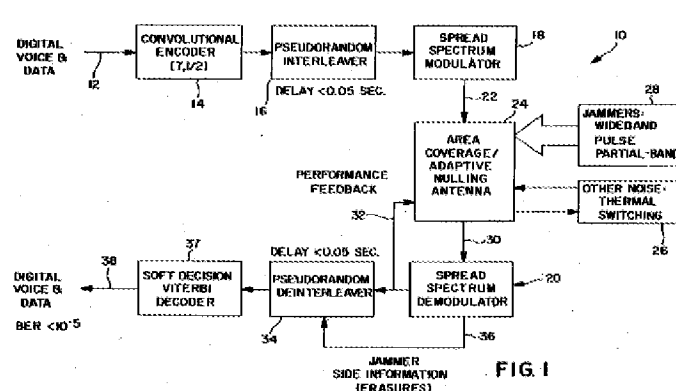


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fading and produce bits or burst errors. To combat the signal fading, it would have been obvious to one ordinary skill in the art at the time the invention was made to design the system such that to be suitable for transmission of data frequently effected by periods of fading as taught by Rogards et al. To combat periodic fading, interleaving techniques are used. These techniques enable the reduction or elimination of the correlation between the errors, which affect the successive symbols applied to a decoder, particularly by transmitting the different components of a block in an order different from that which the decoder will receive. These interleaving techniques have the disadvantage of increasing further the transmission time.

Ling et al. and Rogards et al. disclose all of the subject matter as described above except for specifically teaching determining which symbols comprising the signal have been degraded by the fading condition.

However, DuPree et al. in the same of endeavor teach determining which symbols comprising the signal have been degraded by the fading condition (jamming) (36 in figure 1, col 4, lines 44-57)



Therefore, it would have been obvious to one of ordinary skilled in art at the time the invention was made to use jammer state information (erasures) and deinterleaver of

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DuPree et al. to modify the system and method of Ling et al. in order to identify those symbols which have been jammed (degraded) and correct errors and erasures in the system (see col 4, lines 44-57)

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KABIR A. TIMORY whose telephone number is (571)270-1674. The examiner can normally be reached on 6:30 AM - 3:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Shuwang Liu can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kabir A Timory/

Examiner, Art Unit 2611

/Shuwang Liu/

Supervisory Patent Examiner, Art Unit 2611